IN RE: PETITION FOR ADMIN. VARIANCE SW/S Keech Road, 382' E of Gun Road. 13th Election District 1st Councilmanic District

(5303 Keech Road)

Katherine & James Christopolis Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-239-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Katherine and James Christopolis. The variance request is for property located at 5303 Keech Road in the western area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a setback of 4 ft. in lieu of the required 50 ft. for a proposed walled patio/pool addition in the rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

2/8/02

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

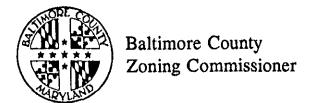
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of February, 2002, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a setback of 4 ft. in lieu of the required 50 ft. for a proposed walled patio/pool addition in the rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

February 8, 2002

Mr. & Mrs. James Christopolis 5303 Keech Road Baltimore, Maryland 21227

> Re: Petition for Administrative Variance Case No. 02-239-A Property: 5303 Keech Road

Dear Mr. & Mrs. Christopolis:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at _		Keech		
whi	ch is pr	esently	zoned	DR- SWS Keech Road

This Petition shall be filed with the owner(s) of the property situate in Bal made a part hereof, hereby petition for	timore County and which r a Variance from Sectio	n is described in the description	n and plat attac	thed hereto and
setback of 4' in	Liew of the 1	regular so ft for a	Charles !	11-1
Setback of 4' in Petw/1801 addition i	in the slaw yard	1.	proposed t	Ou (IPC)
of the zoning regulations of Baltimore of this petition form.	County, to the zoning la	w of Baltimore County, for the	reasons indica	ted on the back
Property is to be posted and advertise I, or we, agree to pay expenses of above regulations and restrictions of Baltimore C	Variance, advertising, post	ing, etc. and further agree to and	l are to be bound inty.	ed by the zoning
		I/We do solemnly declare and perjury, that I/we are the legal is the subject of this Petition.	I affirm, under the I owner(s) of the	e penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):		
Name - Type or Print	A	James Christ	opolis	
Signature		Signature Katherine Ch	rigtopoli	
Address	Telephone No	Name Type or Print)//-/	<u>.</u>
City State	Zip Code	Signature Signature	, ,	0-247-8909
Attorney For Petitioner:		5303 Keech F		0-379-6100 Telephone No. 21227
Name - Type or Print		Baltimore City	MD State	21227 Zip Code
Signature		Representative to be C		zip Code
Signature			,	
Company		Name	*	
Address	Telephone No.	Address	-	Telephone No.
City	Zip Code	City	State	Zip Code
A Public Regiring having been formally dem	 that the subject matter of this 	s petition be set for a public hearing, a	advertised, as requ	ired by the zoning
CASE NUMBER <u>02</u> Q	39 A	Zoning Commissioner o	Date .	12/07/01
Revised 9/15/98 - wcr/scj	***************************************	Estimated Posting Date	12/16/	01

Affidavit •

Revised 9/15/98 - wcr/scj

in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

	5303 Keech Rd.	
	Baltimore, MD	21227
'	City State	Zip Code
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	owing are the facts upon which I/we base the reque hip or practical difficulty):	st for an Administrative
We request a variance be g	ranted to allow an inground swimm	ing pool to be
	the rear property line. The hous	
	from building a pool which has su	
necessary to meet the curre	ent NSPI (National Spa and Pool I	nstitute) safet
standards and still mainta	in the regular six foot setback.	
That the Affiant(s) acknowledge(s) that if a fo	ormal demand is filed, Affiant(s) will be required to	nay a reposting and
advertising fee and may be required to provide	additional information	pay a reposting and
		1 , 1
Signature Comb	Kottena on ()	
	Additional first	istopolis
	Signature	intopolis
James Christopolis	Signature Katherine Christopol	istopolis
	Signature Katherine Christopol Name - Type or Print	is
James Christopolis Name - Type or Print	Name - Type or Print	is
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM	Name - Type or Print WORE, to wit.	istopoli
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM	Name - Type or Print WORE, to wit.	is is
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 6 day of 6 day of Maryland, in and for the County aforesaid, pe	Name - Type or Print MORE, to wit. Limby,	
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 6 day of of Maryland, in and for the County aforesaid, pe	Name - Type or Print MORE, to wit. Lemby , 201 , before me, a Not ersonally appeared	ary Public of the State
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 6 day of of Maryland, in and for the County aforesaid, pe	Name - Type or Print MORE, to wit. Limby,	ary Public of the State
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 6 day of of Maryland, in and for the County aforesaid, pe	Name - Type or Print MORE, to wit. Lemby , 201, before me, a Not ersonally appeared Katherine Christophis factorily identified to me as such Afficients, and many	ary Public of the State
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this 6 day of 10 day	Name - Type or Print MORE, to wit. Lemby , 201, before me, a Not ersonally appeared Katherine Christophis factorily identified to me as such Afficients, and many	ary Public of the State
James Christopolis Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this day of day of Maryland, in and for the County aforesaid, pe the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set for	Name - Type or Print MORE, to wit. Lemby , 201, before me, a Not ersonally appeared Katherine Christophis factorily identified to me as such Afficients, and many	ary Public of the State

Zoning description for 5303 Keech Rd.

Baltimore, MD 21227

Beginning at a point on the South side of Keech Road which is 20 feet wide at the distance of 382 feet East of the centerline of the nearest improved intersecting street Gun Road which is 25 feet wide. Thence southerly 268.02 ft. AND 230,58 ft. Then wertherly 372,2 ft. AND 123,32 ft. BACK TO THE POINT OF BEGINNING.

Being Deed Reference 147327 / 63 in the subdivision of SWS Keech Rd as recorded in Baltimore County Map 108, Grid 15, Parcel 785, Group 80, containing 37,500 square feet. Also known as 5303 Keech Road And located in the 13th election district, 1st councilman district.

230

OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT BALTIMORE COUNTY, MARYLAND JL 239 No. 08181

FOR: RECEIVED FROM: CHRISTON AMOUNT \$ ACCOUNT 31230010

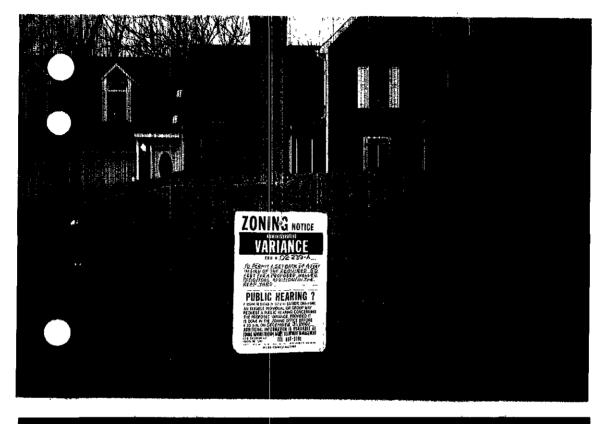
CO.00. CHARACTER COUNTY, MARYLLEAD CO.00. CH. CO.00. CH

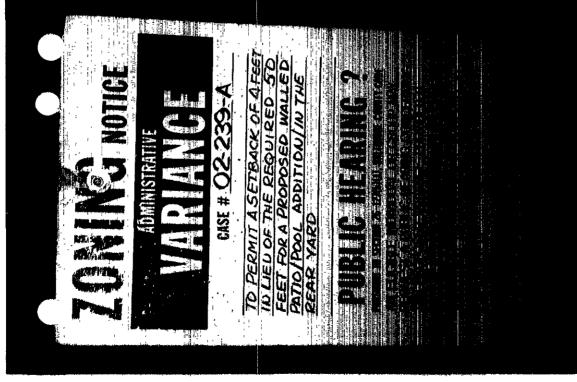
CASHIER'S VALIDATION

TITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER





CERTIFICATE POSTING

1

	RE: Case No.: <u>O2 - 239 - A</u>
	Petitioner/Developer:
	MIKECHRISTOPOLIS
	Date of Hearing/Closing: DEC. 31, 200
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the property loc	erjury that the necessary sign(s) required by law ated at
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, Sincerely, (Signature of Sign Poster and Date)
DEC 17 2001	GARLAND E, MOORE (Printed Name) 3225 RYERSONI CIRCUE (Address) BALTIMORE, MD, 21227 (City, State, Zip Code) (410) 242-4263 (Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 0223914
Petitioner: James + Katherine Christopolis
Address or Location: 5303 Keech Rd. Bultmore mi) 2/227
PLEASE FORWARD ADVERTISING BILL TO: Name: James Christopolis Address: 5303 Kerch Road
Baltimore Mils 21227
Telephone Number: ' 40 247-8909

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 239 -A Address 5303 KEECH RD
Contact Person: John Lewis Phone Number: 410-887-3391
Filing Date: 12 07 01 Posting Date: 12 16 0 Closing Date: 12 31 0
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <u>POSTING/COST:</u> The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 02- 239 -A Address 5303 KEECH RD.
Petitioner's Name JOHN LEWIS Telephone
Petitioner's Name JOHN LEWIS Telephone Posting Date: 12 16 0 Closing Date: 12 3(0)
Wording for Sign: To Permit A SETBACK OF AFT, IN LIEU OF THE REQUIRED
50 FT. FOR A PROPOSED WALLED PATIO/POOL ADDITION IN THE
REAR YARD

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 24, 2002 TO: Arnold Jablon, Director

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For January 7, 2002

Item Nos. 221, 222, 224, 225, 226, 227, 228, 229, 231, 232, 233, 234, 237, 239)

and 240

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

January 4, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

221, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 238, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-239, 02-275

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC

VED -

DATE: February 6, 2002



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 1.2.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Bal

Baltimore County

Item No.

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Doll

1

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

Zoning Case No. 02-239- A

Date Completed/Initials	
12-31-0/	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
<u> </u>	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative

on Tuesday morning)











